

STAND. COM. REP. NO. 2119

Honolulu, Hawaii

FEB 07 2014

RE: S.B. No. 2913

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam:

Your Committees on Agriculture and Commerce and Consumer Protection, to which was referred S.B. No. 2913 entitled:

"A BILL FOR AN ACT RELATING TO AGRICULTURE,"

beg leave to report as follows:

The purpose and intent of this measure is to apply the offense of false labeling of Hawaii-grown coffee to:

- (1) All Hawaii-grown coffee, rather than only Hawaii-grown green coffee, cherry coffee, or parchment coffee; and
- (2) Any coffee that is mislabeled in regards to the grade standard requirements of rules adopted under chapter 147, Hawaii Revised Statutes.

Your Committees received testimony in support of this measure from the Hawaii Farm Bureau Federation; Hawaii Coffee Association; Onouli Farm, LLC; Hawaii Coffee Growers Association; Greenwell Farms; Kau Coffee Mill, LLC; and six individuals. Your Committees received comments on this measure from the Department of Agriculture and one individual.

Your Committees find that Act 328, Session Laws of Hawaii 2012, established stricter criminal penalties for falsely labeled Hawaii-grown cherry, parchment, and green coffee with regard to geographic origin. Unfortunately, the shortage of Hawaii-grown coffee caused by the coffee berry borer has increased the temptation to engage in coffee counterfeiting. Therefore, stricter penalties are required for the mislabeling of all Hawaii-

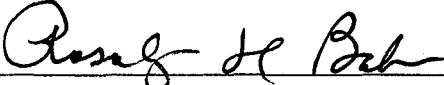


grown coffee, including roasted coffee, as well as for the mislabeling of grade standard requirements.

Your Committees note that grade standard requirements under rules adopted under chapter 147, Hawaii Revised Statutes, are referenced in section 2 of this measure because chapter 4-143, Hawaii Administrative Rules, specifies standards for various grades of coffee. Your Committees' intent is for any labeling of Hawaii-grown coffee that violates these grade standards to constitute the offense of false labeling of Hawaii-grown coffee, as proposed by this measure.

As affirmed by the records of votes of the members of your Committees on Agriculture and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2913 and recommend that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committees on Agriculture and  
Commerce and Consumer  
Protection,

  
ROSALYN H. BAKER, Chair

  
CLARENCE K. NISHIHARA, Chair



**Record of Votes**  
**Committee on Agriculture**  
**AGL**

\*Only one measure per Record of Votes

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

\*Only one measure per Record of Votes